

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**October 25, 2004**

<i>IN RE: PETITION OF TENNESSEE-</i>	)	DOCKET NO. 04-00288
<i>AMERICAN WATER COMPANY TO</i>	)	
<i>CHANGE AND INCREASE CERTAIN</i>	)	
<i>RATES AND CHARGES ...</i>	)	

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**PETITION TO INTERVENE BY THE  
CHATTANOOGA MANUFACTURERS ASSOCIATION**

The Chattanooga Manufacturers Association ("CMA"), by and through its counsel, pursuant to Tenn. Code Ann. § 65-2-107 and Tennessee Regulatory Authority ("TRA" or "Authority") Rule 1220-1-2-.08, respectfully petitions to intervene in this docket as a party of record on behalf of CMA's members and consumers that will be adversely affected by the Petition to Change and Increase Certain Rates and Charges as submitted by the Tennessee-American Water Company ("TAWC" or "the Company"). In support of its petition to intervene, CMA states as follows:

1. CMA is a 100 year-old trade association involving over 200 manufacturers and businesses supporting and servicing the manufacturing sector. CMA has substantial and vital interests in the outcome of the Authority's action in this docket and desires to intervene in order to protect those interests on behalf of its members and those similarly situated.

2. The Authority has previously granted CMA intervention status in similar utility rate-making cases including, but not limited to, contested cases involving the TAWC and those involving Chattanooga Gas Company. This is a contested case as it involves the fixing of rates. At the present time, no other party in this docket will adequately represent the rights and interests of the members

of the CMA.

3. In the present docket, the Company seeks approval by the Authority to increase certain rates and charges, including increases that will adversely affect ratepayers that are members of CMA and other similarly situated entities. The Company's petition seeks an extraordinary increase in revenue (\$1.938 million annually), which CMA avers is not fair or reasonable, nor in the best interests of CMA members and other ratepayers, especially considering the request is being made a mere two and a half months after the Authority's issuance of the decision concerning the Company's last request to increase rates.<sup>1</sup>

4 Accordingly, CMA requests to intervene and participate in this case pending the rejection, modification or approval of the petition presently filed by the Company before the Authority.

5. Should this Petition to Intervene be granted, all notices, correspondence and copies of orders and other materials should be addressed as follows, and the following should be placed upon the Official Service List in this proceeding.

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<sup>1</sup> See In re Petition of Tennessee American Water Company to Change and Increase Certain Rates and Charges So As to Permit it to Earn a Fair and Adequate Rate of Return on its Property Used and Useful in Furnishing Water Service to its Customers, Docket No 03-00118, (Final Order issued June 25, 2004)

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**WHEREFORE**, the Chattanooga Manufacturers Association respectfully requests that the Authority enter an Order granting this Petition to Intervene and allow CMA to become an intervening party of record in this docket.

Respectfully submitted this 25<sup>th</sup> of October, 2004.

GRANT, KONVALINKA & HARRISON, P.C.

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- and -

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By: Henry M. Walker  
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**CERTIFICATE OF SERVICE**

I hereby certify that I have on this 25<sup>th</sup> day of October, 2004, served the foregoing Petition to Intervene of the Chattanooga Manufacturers Association either by fax, overnight delivery service or first class mail, postage prepaid, to all parties of record at their addresses shown below:

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